

# FACT SHEET

## On the State Of Transitional Justice in Zimbabwe, 2021

### About this Fact Sheet

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The 2021 edition of the State of Transitional Justice in Zimbabwe Report provides an expansive reflection of the progress, challenges, and opportunities within the trajectory of transitional justice in Zimbabwe. This report highlights the transitional justice work which was done by the National Peace and Reconciliation Commission (NPRC) and efforts by the Government of Zimbabwe (GoZ) to contribute to the ongoing transitional justice processes, albeit with minimal progress. It further showcases critical work by the National Transitional Justice Working Group (NTJWG), its stakeholders, and other civil society organisations.


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## KEY FINDINGS

1. Following the end of tenure of the NPRC Commissioners, six new Commissioners were appointed to the NPRC, while two were retained from among the previous Commissioners.
  2. The Zimbabwe Independent Complaints Commission Bill, 2020 was gazetted. This Bill seeks to create a mechanism to allow members of the public to report and get redress for violations of human rights by members of the security services, as required by section 210 of the Constitution.
  3. The NPRC failed to comply with its reporting obligation to Parliament as required by the Constitution. The 2020 NPRC Annual report which was due to be published in March 2021 was only published on 2 September 2021.
  4. The Government through the President continued to work on a parallel initiative and structure in Matabeleland in collaboration with traditional leaders in addressing the Gukurahundi atrocities. The NPRC was excluded from this process.
  5. The appointment of Commissioner Obert Gutu and his alleged failure to renounce his ZANU-PF political party membership elicited legal proceedings instituted by ZimRights before the High Court in Harare.
  6. Commissioner Obert Gutu's statements which trivialised Gukurahundi stirred controversy and the NPRC through its Chairperson had to tender an apology.
  7. The NPRC remained silent in the face of destruction and theft of Gukurahundi memorial plaques in Bhalagwe and Silobela as well as the continued exclusion of the Commission from key processes falling directly under its ambit.
  8. There was continuous violation of human rights by state agents, and these were pronounced during the enforcement of the COVID-19 pandemic lockdown measures.
  9. The recommendations of the Commission of Inquiry into the 1 August 2018 post-election election violence led by former President of South Africa Kgalema Motlanthe have not been implemented.
  10. The re-introduction of the national youth service might be a precursor of a violent electoral context in 2023 given the violence witnessed at the hands of the national youth service during the 2008 election cycle.
  11. Lack of electoral reforms especially the apparent suppression of voter registration might disenfranchise prospective young voters creating tensions and grievances which might threaten peace in the country.
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# RECOMMENDATIONS

## To Civil Society Organisations

- CSO transitional justice mechanisms pivot around monitoring the role, activities and processes of the NPRC and the government. There is a need for CSOs to define their responsibilities towards transitional justice in a broader sense than just monitoring the NPRC and initiate proactive programming on areas such as exhumations and reburials which have not received adequate attention from authorities yet remain critical issues at family and community levels.
- There is a need for concerted efforts to advocate the implementation of the African Union Transitional Justice Policy (AUTJP).
- There is a need to consider ways of fostering youth participation in political affairs and to implement programming that dissuades youths from violent political mobilisation and organisation. This may entail strengthening and scaling up existing and effective approaches to youth engagement as well as adopting new and innovative methods of stemming apathy among young people.
- There is a need to strengthen and accelerate the work being done by media organisations in transitional justice programming so that media practitioners are trained in peacebuilding and transitional justice reporting.
- In view of the limitations exhibited by the NPRC and other independent Commissions, it is incumbent upon the NTJWG and other stakeholders to continue working in an inclusive and victim-centred approach on transitional justice issues. This will help keep communities engaged and maintain the discourse on transitional justice in the country regardless of the NPRC's term of office.
- Civil society organisations must collaborate on peacebuilding initiatives and develop manuals for conflict prevention that should be shared widely, particularly in light of the 2023 elections.



# RECOMMENDATIONS

## To the government of Zimbabwe

- There is a need to capacitate and resource the NPRC to enable the body to function efficiently and independently in line with its mandate.
- The Government needs to demonstrate sincerity on transitional justice by not undermining the NPRC through setting up parallel structures, processes and initiatives.
- The Government must implement the recommendations from the Report of the Commission of Inquiry into the 1 August 2018 Post-Election Violence chaired by the former President of South Africa Kgalema Motlanthe.
- The Government must take a lead in preserving memorial plaques that are erected by communities and condemn and investigate the theft and destruction of memorial plaques.

## To the NPRC

- The NPRC needs to be accessible and visible and work with communities in addressing transitional justice issues. This can be achieved through NPRC Commissioners being stationed in the respective provinces they represent.
- The NPRC must work alongside community-based organisations in transitional justice processes in order to improve the Commission's visibility and accessibility as well as to capture the voices of victims of human rights violations.
- In the context of the COVID-19 pandemic the NPRC must use technologies that enable it to reach different segments of society. The NPRC should embrace the use of technology so that it creates platforms whereby transitional justice issues are discussed openly. This could include virtual discussions and seminars that can attract broader participation.

## To the Academic Community

- There is a need for universities to offer peacebuilding and transitional justice modules in order for academics to proffer solutions relevant to the local context.





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## ABOUT US

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The National Transitional Justice Working Group is a platform established by forty-six Zimbabwean transitional justice stakeholders to provide the interface between transitional justice stakeholders and the official transitional justice processes in Zimbabwe.

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